

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Lundberg et al.
Serial No. : 10/693,317
Filed : October 23, 2003
For : NEW PHARMACEUTICAL FORMULATION
AND PROCESS
Examiner : Sheikh, Humera N.
Group Art Unit : 1615

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CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8
I hereby certify that this paper is being facsimile
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571-273-8300.

John M. Genova 32,224

Attorney Name PTO Reg. No.

John M. Genova July 13, 2006
Signature Date of Signature

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Examiner Humera N. Sheikh
Pages: 8

Response to Notice of Non-Compliant Amendment

Sir:

Applicants submit this communication in response to the Notice of Non-Compliant Amendment ("Notice"), mailed July 7, 2006. As this communication is being submitted before the end of the one-month period for reply, no extension of time is necessary.

The Notice indicates that the amendment document filed on April 27, 2006 is non-compliant because claim 17 was not provided with the proper status modifier. The Notice provides that only the corrected section of the non-compliant amendment document must be resubmitted in its entirety.

FROM W&C LLP 19TH FL.

(THU) 7.13'06 18:15/ST. 18:15/NO. 4260454757 P 2

USSN10/693,31, filed October 23, 2003
Attorney Docket No. 1103326-0203 CON
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Accordingly, in response to the Notice, Applicants submit herewith a replacement "Amendment to the Claims" section, comprising replacement pages 3-8. Each of the pending claims is now provided with a proper status modifier. No new matter has been added to any of the replacement pages.

Upon entry of the replacement sheets, claims 1-17, 19 and 21-24 remain pending. Entry of the replacement sheets is respectfully requested.

Applicants take advantage of this opportunity to repeat their request for a suspension of prosecution for a reasonable period of six (6) months under 37 C.F.R. §1.103 as set forth in the Amendment filed April 27, 2006.

Authorization is hereby given to charge any fee in connection with this communication to Deposit Account No. 23-1703.

Dated: July 13, 2006

Respectfully submitted,



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